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Case Number	20/00159/FUL (Formerly PP-08430633)
Application Type	Full Planning Application
Proposal	Erection of ball stop netting to Northern and Southern boundaries of cricket ground (maximum height of 15metres) (Amended plans)
Location	Football Pitch Hallam Sports Club Sandygate Road Sheffield S10 5SE
Date Received	16/01/2020
Team	West and North
Applicant/Agent	Mark Beckles Willson
Recommendation	Grant Conditionally

## **Time limit for Commencement of Development**

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## **Approved/Refused Plan(s)**

2. The development must be carried out in complete accordance with the following approved documents:

Site Location Plan - Job No: 19001 Dwg No: 100 published 16th January 2020

Proposed Site Plan - Job No: 19001 Dwg No: 101 Rev A published 8th October 2020

Elevations - Job No: 19001 Dwg No: 102 Rev C published 8th October 2020

Coal Mining Risk Assessment (ref CAT/GCB/NG/44278-001) published 16th January 2020

Reason: In order to define the permission.

## **Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)**

3. No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. In the event that site investigations confirm the need for remedial works to treat areas of shallow mine workings details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

#### **Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)**

4. Prior to the installation of the ball stop fencing/netting full details of the design of the stanchions and the specification of the ball stop netting/fencing shall have been submitted to and approved in writing by the Local Planning Authority. The netting/fencing shall thereafter be installed in accordance with the approved details. The netting shall be removed from September 30th and shall not be re-erected until March 20th each calendar year (outside of the cricket season).

Reason: In the interests of the visual amenities of the locality and to allow for variations in the timing of the cricket season.

5. No works shall commence until a full Arboricultural Impact Assessment and Arboricultural Method Statement (to BS5837:2012) has been submitted to and approved in writing by the Local Planning Authority. These documents shall include an assessment of the impact of the fence construction upon the trees on site. Any proposed pruning works that are reasonably necessary shall be identified in the Arboricultural Impact Assessment and Arboricultural Method Statement and shall be in accordance with BS3998:2010.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interests of tree protection.

6. No trees shall be felled nor shall any tree works be undertaken on site unless an Ecological Method Statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be provided by a suitably qualified professional.

Thereafter the development shall be carried out in accordance with the agreed details.

Reason: In the interests of protected species.

7. Full details of new tree planting shall be submitted to and approved by the Local Planning Authority before the erection of the support posts. The details shall comprise a minimum of 5 extra heavy standard trees consisting of native species. Thereafter the trees shall be provided in accordance with the agreed details and shall be planted no later than 28 days following the erection of the support posts.

Reason: In the interests of the visual amenities of the locality.

8. The approved landscape works shall be implemented in accordance with the timescale set out in condition 7 above. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

Reason: In the interests of the visual amenities of the locality.

9. The Local Planning Authority shall be notified in writing when the landscape works are completed.

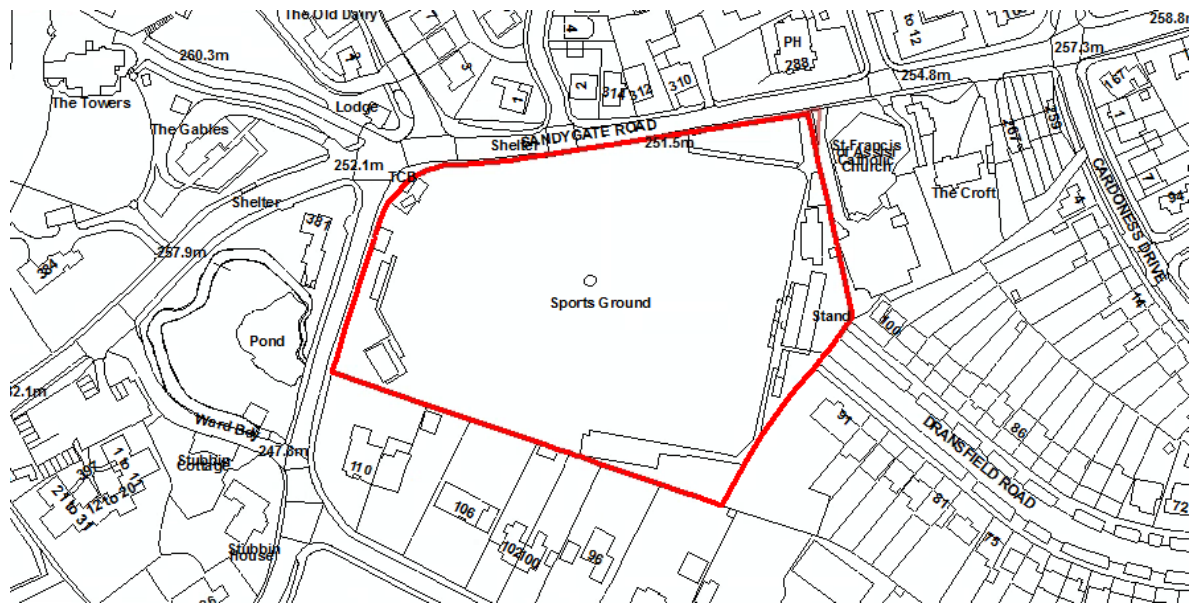
Reason: To ensure that the Local Planning Authority can confirm when the landscaping works have been completed.

### **Other Compliance Conditions**

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

## Site Location



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## INTRODUCTION

The application site comprises of the Hallam Cricket Club situated at the Sandygate Sports Ground. Hallam Cricket Club was founded in 1804 and is the oldest cricket ground in Sheffield and one of the oldest in Yorkshire. The club has played at the Sandygate ground since its foundation. The ground is also the oldest football ground in the world, home to Hallam Football Club - the second oldest football club in the world.

According to the applicant's submission, Hallam Cricket Club currently has 350 members, more than 250 of whom are children, and it runs a full programme of summer and winter training and matches. It currently has 7 adult teams and 15 junior teams playing in local leagues and it organises a wide range of non-competitive cricket based and community activities.

The site lies within an established residential area, however the site itself is designated as an Open Space Area as defined in the Sheffield Unitary Development Plan.

The back gardens of housing fronting Ivy Park Road are located along the southern boundary. Carsick Hill Road lies to the west and Sandygate Road to the north with housing on the other side of those respective roads. The site falls from the northern boundary to the south by approximately 4m across the site.

The site is located immediately adjacent to the Ranmoor Conservation Area which lies to the south, commencing on Ivy Park Road. There are also two grade II listed buildings in the vicinity known as The Lodge and The Towers, which are located to the north-west of the site on the corner of Sandygate Road and Coldwell Lane. The Lodge is the most visible of these from the application site.

## PROPOSAL

Planning permission is sought for the erection of ball-stop netting to the northern and southern boundaries of the cricket ground to a maximum height of 15 metres.

The proposed plans, as amended, show that the ball-stop netting along the Sandygate Road frontage (north boundary) is to span a length of 84 metres, with a long section reaching a height of 15 metres (part of which is angled in from the boundary wall), a section reaching 12 metres in height, and a short section which reaches 8 metres in height. The southern boundary netting, adjacent the rear boundaries of housing fronting Ivy Park Road, is shown to have a span of 91 metres with the longest length of netting reaching 15 metres high, two sections at 13 metres high and a short section of 7 metre high netting.

The netting along the northern boundary would include 7 posts, with the southern boundary netting including 8 posts.

The submission states that in 2017 the first XI team was promoted to the southern section of the Yorkshire League, which is an ECB Premier League, the highest level of club cricket in the County. Games in this league were played at the historic

Sandygate ground for two seasons but balls were being hit out of the ground on an increasingly regular basis and the Club has become concerned about the safety of playing this level of cricket at a ground with such short boundaries. Cricket has evolved over the last decade and as a result of both technical advances in bat manufacture and the influence of T20 cricket (very much focused on big hitting) the ball is being hit harder and further than ever before, particularly at Premier League level.

In late 2018 the Club approached the ECB (England and Wales Cricket Board, the game's governing body) for advice on this issue and the ECB recommended Labosport, a sports consultant in Nottingham.

The Club subsequently commissioned a risk assessment report on the safety of the ground from Labosport, who recommended the installation of ball-stop netting.

As an initial risk mitigation measure, the Club moved first and second team games to its Crimicar Lane ground for the 2019 season. The submission states that Crimicar Lane was restored to Premier League standards in 2009 and has significantly longer boundaries and ball-stop netting on the northern edge of the ground. Third and fourth team games were moved to Sandygate Road. These two teams play community level cricket where it is recognised that the ball is generally not hit as hard or as far.

The Club also commissioned an updated report from Labosport based on community level being played at Sandygate and adult play being limited to the more central area of the cricket square. This revised report gave data on the predicted trajectories of ball hits at this level of cricket and this was used to develop a practical solution (i.e. ball-stop netting) which would allow adult community cricket to be played more safely at Sandygate in future.

## PLANNING HISTORY

19/04172/TEL - Erection of 20m monopole and associated equipment cabinets (Application for determination if approval required for siting and appearance) – Refused

This prior approval application was subject of an appeal which was dismissed on 16<sup>th</sup> September 2020.

19/00405/TEL - Erection of 12.5m monopole (Application for determination if approval required for siting and appearance) - Withdrawn

## SUMMARY OF REPRESENTATIONS

The application was advertised by way of site notices and neighbour letters, including subsequent rounds of both.

The planning application was originally on the agenda for the 25<sup>th</sup> August 2020 committee, however the application was deferred. The officer report was originally published on 18<sup>th</sup> August 2020. Further representations have been submitted since

the deferral.

Representations received prior to 18<sup>th</sup> August 2020:

Olivia Blake MP for Sheffield Hallam objected on the following grounds:

- 15m high netting would be unsightly and overbearing.
- It would affect visual amenity including two Grade II listed buildings and the Ranmoor Conservation Area.
- Poles at 32cm diameter would be out of character with existing street furniture.
- The quality of Sport England's consultation features inaccuracies, as raised by a constituent.

Cllr Anne Murphy objected on the following grounds:

- The 15 metre height is equivalent to a four to five storey building.
- Netting would be within 13 metres of properties and be excessively overbearing.
- Posts and netting will resemble a prison.
- Within 25 metres of Grade II Listed Buildings - The Lodge and The Towers.
- Cause harm to nearby Ranmoor Conservation Area.
- Question why retractable posts cannot be used.
- Planning Officers deemed a 15m monopole to be unacceptable.
- Concerns relating to impact on bats and birds.
- A veteran sycamore tree would be lost.
- Understands the benefits of reducing risk, but the scheme will not stop many of the balls.
- Sensible approach is to move senior cricket to Crimicar Lane.

26 letters of objections were received from local residents. The objections are summarised as:

Material Planning Considerations

Need

- Support the measures for safety and property outside ground and for cricket to continue, but cannot rationalise the Labosport findings with the proposed netting.
- The nets at 15 metres high do not comply with the Labosport report's recommendations therefore there would be loss of amenity (views) for an insufficient reduction of risk.
- High risk of balls being hit over the netting due to height not complying with Labosport report.
- Reduction of ball strike risk would not be to an acceptable level.
- Netting excessive and an overreaction in relation to risk.

- A number of neighbours (both on Ivy Park Rd and Sandygate) state they have never had issues with cricket balls from the club.
- Road signage warning of risks to motorists and pedestrians would be better.
- Lack of transparency in Labosport Report – calculations to model ball trajectories have not been provided for scrutiny.
- Distances within Labosport Report are estimates, which are worthless without practical validation.
- Labosport Report only assess northern boundary, but scheme includes same netting height.
- Other solutions not explored, such as levelling wicket area, reorienting wickets or using equipment to de-power shots.
- Community cricket could be relocated to Crimicar Lane, whilst maintaining junior cricket at Sandygate.
- Local resident (Ivy Park Rd) has experienced some balls entering garden, but not resulting in injury or property damage – prepared to continue to put up with risk of ball incursions.
- Ball-stop netting will not define whether HCC continues to operate – Crimicar Lane can be used for senior teams, with junior cricket at Sandygate Road.
- If there are concerns about safety, the club would have acted sooner.
- If recent incident (pedestrian being hit) was catalyst the club should have stopped playing, but continued with known risk. Therefore can continue to play without netting needed.
- International and ex county cricket players have played at ground without netting on the ground – no one can hit harder and further than such players.
- Benefits only seen by small minority of community, i.e. cricketers.
- Proposal not in line with Sport England Guidance on pitch sizes.
- Should be for retractable poles and temporary netting.
- As scheme does not conform to Labosport Report, applicant and Council must be legally responsible for any balls that would come over 15 metre high netting.
- Labosport Report states that 15 metre would not reduce the risk to an acceptable level.
- The size of the cricket pitch does not comply with Sports England guidance for professional cricket.
- By accepting the proposal, the Council would themselves become legally responsible for their failure to adequately protect pedestrians, vehicles and residents in line with the specialist report.
- The sensible approach would be to move senior cricket to Crimicar Lane.

#### Appearance & Heritage Assets

- 15 metre high poles and netting will have substantial visual impact.
- Harmful impact on nearby Conservation Area.



- A telecommunication monopole was refused opposite the site, current proposal will have more impact than that.
- Harmful impact on The Towers and The Lodge, which are Grade II listed.
- Loss of trees which contribute to environment.
- Eyesore and unsightly in picturesque residential suburb.
- Structure would be similar height to nearby trees.
- Visual monstrosity – 15 metres is equivalent to a four-storey building.
- Netting will appear as a prison.
- Netting 3 x times height of coach house within garden on Ivy Park Rd.
- The poles at the diameter shown would be out of character with street furniture.
- Would not comply with CS Policy CS74, UDP Policy BE5 or Chapter 12 of the NPPF.
- Would result in 'less than substantial harm' set against para 196 of the NPPF.
- The safety benefits of scheme are vastly exaggerated, therefore public benefits are non-existent and do not outweigh harm that would be caused.
- Vertical poles out of character with local area which is picturesque.
- Resident references a Zone of Theoretical Visibility (ZTV) to assess visibility of a development. Details submitted indicate the number of visual receptors that might be able to see the development - 454 residential properties within 300m of the proposal fall within the ZTV. Best case scenario 444 residential properties would be able to see the proposal within 300m. – demonstrates the visual impact.

### Ecology

- Bat survey required. Impact on access to their feeding areas.
- Potential impact to wild birds such as Owls, potentially injuring or killing any caught in net.
- Impact on veteran tree.

### Residential Amenity

- Noise nuisance from netting due to windy, exposed location.
- Noise already generated from floodlight cables, additional steel poles with ropes and pulleys will generate noise.
- Noise was not considered at HCC public meeting.
- Reduction of light into gardens of Ivy Park Rd.
- Netting not to be lowered after games, reducing outlook during the summer time for Ivy Park Rd residents. Poles are to be up all year, impacting outlook throughout the year.
- The nets would block sun every morning to houses on Sandygate Grange Drive.

- Garden of 106 Ivy Park would have entire 15 metre netting on back boundary; worsened by drop in level of garden of approx. 1.5 metres. (16.5 metre height relative to no. 106).
- Nets and posts would be overbearing, the height being equivalent to a four/five storey building.
- The proposal would be overly intrusive to a nearby neighbour and is unlikely to pass the Residential Visual Amenity Threshold test.

#### Highways concerns

- The junction is notorious for heavy traffic, the scheme has potential to deflect drivers' attention.

#### Other concerns

- Benefits do not outweigh the negatives of the proposal.
- ECB are funding the proposal and other projects for club – maybe funding dependent on netting.
- A number of neighbours acknowledge the club's position; however they do not think benefits outweigh the harm.
- Tree survey not submitted.
- Risk to veteran Sycamore tree in north-western corner which should be protected as is an important landscape feature.
- It is world's oldest football pitch.
- Planning Officers found a telecommunications mast of 15 metres in height proposed nearby to be unacceptable.
- The floodlights are shown as 17 metres on the elevations, whereas they are approx. 15.8 metres. The Telecommunications application mentioned them to be 15 metres.
- Why is the western boundary not being protected?
- Sport England's consultation is inaccurate, as it assumes the proposal is in accordance with the Labosport Report when it is not.
- ECB comments are not neutral as they are funding the proposal.
- A shadow-tracking study carried out indicating posts and nets will reduce power output from PV panels on house opposite site.

#### Non-material Planning Considerations

- Loss of views over Mayfield Valley and to Ringinglow from neighbouring residences.
- Impact on desirability and values of houses.
- No information regarding maintenance of netting.
- Complaint raised with Sport England regarding their comments. The application should be put on hold until this is resolved.

The Conservation Advisory Group provided the following comments:

- The Group considered that there was no objection to the development, in principle, subject to the colour of the mesh and the posts being to the satisfaction of the Interim Head of Planning and to the supporting posts being de-mountable and being installed between the months of April and September, only.

Representations received after 18<sup>th</sup> August 2020:

Olivia Blake MP on behalf of constituents who raise the following comments:

#### Objections

- 15m high ball stop netting would be unsightly and overbearing, negatively affecting the Grade II Listed Buildings, The Lodge and The Towers, from which the netting would be visible.
- Permanent 32cm diameter posts would be out of character with existing street furniture.
- Sport England's consultation features inaccuracies.

#### Support

- Acknowledgement of the work of Hallam CC, which is grounded in and greatly serves the local community, having been doing so for 200 years and wish for this to continue.
- Wish to highlight effort the club has undertaken to submit an agreeable proposal including consultation with neighbours and compromising on recommended 25 metre net down to a height of 15m.
- The club state netting can be taken down outside cricket season and 15 metres is minimum height required.
- Club state the netting is essential for the safety of pedestrians on Sandygate Road, as well as cars, buses and property.

Sheffield & Rotherham Wildlife Trust has submitted neutral comments as summarised below:

- No tree survey submitted.
- If trees are to be felled, a bat survey should be submitted.
- The ivy on the trees are a feature of interest to bats.
- Bats do fly into and get entangled by nets.
- A specialist bat survey is recommended given the proximity of the nets to the trees along with evidence of bats using the site from residents and advice from the Bat Conservation Trust.

13 further objections and 169 letters of support comments were received.

Many of the concerns were raised in earlier correspondence and so are not repeated

here. The new objections are summarised below:

## Material Planning Considerations

### Need

- If cricket ceases at Crimicar Lane and the first and second teams return to Sandygate, the netting will not be anywhere near high enough.
- Since the 1<sup>st</sup> and 2<sup>nd</sup> teams moved to Crimicar Lane, no cricket balls have come over the wall.
- The cricket club would not fold if adult teams cease – two thirds of the membership are junior cricket players.
- Only a few games of senior team cricket are played throughout the year, the majority are junior as endorsed by Yorkshire Cricket – the methodology is unsound.
- Two support comments reference the lack of ‘risk’ at present showing how unlikely it is that balls exceed the boundary.
- Most manufacturers do not produce netting at this height – demonstrates the unusual nature of the proposal.
- Under case law, if the proposal is refused the club would not be liable for any ball-strike incidence as they would have taken all practical precautions.
- The pitch does not accord with Sport England’s pitch guidance, hence the reason for such high netting.

### Appearance & Heritage Assets

- Replacement planting would not be as established as those lost.
- No justification for loss of trees.
- The netting for the football ground is in a poor state – comparison and question of maintenance of proposed nets.
- The netting is proposed between March and September which is longer than the cricket season.
- Club not committed to retractable netting.
- Tree survey is required as part of the boundary is affected by a conservation area.
- Posts would be out of proportion with the surrounding area.
- Impact on the Oldest Football Ground in the World – Hallam FC.
- Football ground is currently being considered for listing status.
- Impact on Oldest Fell Race which utilise an entrance in north-western corner. The race dates back to 1862 and the fence would restrict access through this entrance.
- The netting would be prominent from the south of the sports ground.
- The posts would be out of character with both floodlights and street furniture.
- Proposals of such height would usually be grey/white, rather than green due to the scale.

## Ecology & Trees

- The trees provide habitats for local wildlife but also offer significant visual amenity.
- Loss of biodiversity would be deplorable.
- Trees cannot be replaced – trees take many years to grow.
- The nets could affect the roots of an Elm Tree in a neighbouring garden on Ivy Park Road – a quarter of the canopy may need to be pruned to allow the netting.
- Trees in north-western corner offer significant visual amenity.
- 7 trees are likely to be lost.

## Residential Amenity

- The netting would look like a prison from Ivy Park Road gardens.
- Will affect outlook off houses on Ivy Park Road.
- Overshadowing issues to neighbouring residents.
- Covid has result in home working, highlighting the importance of outlook and use of gardens.
- Netting would be visually intrusive from houses and gardens on Sandygate Road and Sandygate Grange Drive.
- The landscape is symbolic and vital to residents well-being.

## Other concerns

- Detrimental effect on neighbouring Solar PV array opposite site – architect has undertaken a solar shadow study of the nets showing the net and posts will reduce solar energy.
- Unacceptable that support comments have provided personal negative comments against neighbours, introducing intimidation to neighbours – it should be investigated as breaching planning rules and processes.
- the proposed nets will deny neighbours the right to the peaceful enjoyment of their house and garden and therefore may be in contravention of the Human Rights Act and in particular, Protocol 1, Article 1.
- Retractable netting needs to be demounted in high winds, therefore it is unsafe to leave the netting up for the entire cricket season.
- Local resident specifies that the Conservation Advisory Group raise concerns with impact on setting of the Lodge but advise retractable netting.
- Removal of trees could potentially damage boundary wall affecting the footways and highways.
- A condition should be imposed to secure maintenance of netting.
- Lack of meaningful consultation.

## Non-material Planning Considerations

- Over 100 support comments, most of which are not from the local area and some not from Sheffield.
- Support comments have been driven by a social media campaign by Hallam CC.
- Neighbour has a right to access to maintain rear wall of outbuilding, not clear how maintenance of the stone wall will be possible in the summer if nets are installed.

#### Support:

- The club needs to protect householders, motorists and the public from ball strike.
- Netting deemed necessary by the sport's governing body.
- The club has engaged with the ECB to ensure the proposal meets standards.
- The club has introduced measures already - moving more powerful teams to Crimicar Lane, undertaken community and junior level cricket at Sandygate only and restricting the use of central wickets.
- Cricket has been played on the site for 216 years and is the oldest club in South Yorkshire.
- The game has changed, sixes regularly being hit over the 3m boundary.
- It is a responsible club which needs to protect people from being injured.
- It serves the community and has 100 senior and 200 junior members.
- Crimicar Lane has permission for ball-stop nets which is a more open site in terms of impact on landscape, also adjacent to properties – current proposal is no different.
- Community level cricket would be lost, members of which support the running of the club including junior teams.
- It is vital that cricket is maintained at Sandygate.
- Without adult cricket, Sandygate may not be maintained and the club may become unsustainable.
- Club provides opportunity for cricket across the local community, but also Sheffield and South Yorkshire.
- Nets will blend in and be unobtrusive in the local area.
- No adverse impact on neighbouring properties such as overbearing or affect on light.
- No grounds to refuse planning permission.
- The club is a very well used local facility.
- Massive positive impact the club has on obesity, but also to physical and mental health.
- Safety nets are part and parcel of sporting venues.
- Hallam CC was 1 of only 4 clubs in South Yorkshire to provide All Stars children's coaching this summer, showing opportunities are rare.
- The netting will prevent 99.9% of balls being hit over the wall.

- Crimicar Lane is immaterial – it is on a short-term lease and could be lost in the future. Losing two senior teams would affect the club hugely.
- A wonderful organisation which does an enormous amount for the community.
- The ground and club has been there longer than neighbouring properties.
- The club provides a thriving social scene for the community.
- Planning should be approved, anything other would be injustice and the club would be entitled to seek legal action.
- Cricket is a sport that already faces significant challenges, Hallam is one of a few clubs that has seen a rapid rise in participation in recent years.
- Netting not ideal, but it is necessary.
- Rejecting the proposal could cause irreparable damage to the club and diminish its positive impact on the community.
- The fencing cannot be reasonably called an eyesore.
- If Hallam CC is compromised, cricket in Sheffield would take a massive hit.
- A club in Kent formed 1769 introduced nets in 2009 which have been a success – this can be replicated at Hallam.
- The NPPF provides clear guidance for applications affecting sport – the application is consistent with it.
- The club is even more important with COVID19.
- The club are trying to be a good neighbour with this proposal.
- It is impossible to relocate the 3<sup>rd</sup> and 4<sup>th</sup> teams, therefore netting is needed.
- The application was withdrawn from 25<sup>th</sup> August committee – more transparency as to why and by whom.
- Without senior level cricket, the juniors would not gain experience of senior cricket.
- The club has been recognised at a national level for its work in promoting the game.
- Refusal would have a devastating impact on hundreds of people next season, let alone the future.
- No insurer would consider any sort of policy where cricket club was not able to follow ECB safety guidelines.
- The loss of cricket could have serious consequences for the adjacent football club.

## PLANNING ASSESSMENT

### National Planning Policy Framework (NPPF)

The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 11 of the NPPF requires that development that accords with up to date policies should be approved without delay. In instances where policies which are most important for determining the application are out-of-date, granting permission unless:

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when weighed against policies in the NPPF taken as a whole.

Paragraph 47 requires development to be determined in accordance with the development plan unless material considerations indicate otherwise.

## Land Use

The NPPF places great importance on high quality open spaces and opportunities for sport and physical activity, which it considers to be important for the health and well-being of communities. Paragraph 97 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Similarly, UDP Policies LR4 and LR5 seek to protect Open Space Areas where they are needed for outdoor recreation or where they contribute to local character, the natural or historic environment. Core Strategy Policy CS47 seeks to safeguard existing open space and goes on to state that sports and recreational facilities of importance beyond the city will be protected and development will only be permitted where it would improve the quality of the facilities provided.

The local plan policies broadly align with paragraph 97 of the NPPF.

The applicant has submitted a Boundary Risk Assessment Technical Report undertaken by Labosport in support of the proposal. The findings of the report confirm there is a need for ball-stop netting in order to reduce the risk of cricket balls surpassing the site boundary.

It can be argued that ball-stop netting supports the current and continuing use of the site for playing cricket, however assessment of the proposals must consider whether they are a proportionate response to the risks involved. Consideration of the visual impact of the ball-stop netting on the local area, including nearby heritage assets, is also necessary.

The applicant's Boundary Risk Assessment is a desk-top study which uses modelling to assess the risk of cricket balls being hit over the boundary of the



cricket field to surrounding areas. It considers ball speeds and trajectories and the distances to boundaries to ascertain the risk of balls surpassing the boundaries. The wickets are orientated in an east to west direction.

The cricket club informed Labosport that an increasing number of balls have surpassed the northern boundary adjacent to Sandygate Road, which is a busy road and a bus route. The northern boundary has the shortest distance between it and the edge of the wicket. This risk assessment therefore focused on the northern orientation.

The report assessed the following scenarios and provided recommendations for each:

- Only community (3<sup>rd</sup> and 4<sup>th</sup> teams) and junior level cricket is played at Sandygate (1<sup>st</sup> and 2<sup>nd</sup> teams remain at Crimicar Lane)
- The 1<sup>st</sup> and 2<sup>nd</sup> (professional) teams use the Sandygate cricket square in full
- The 1<sup>st</sup> and 2<sup>nd</sup> (professional) teams are restricted to the 5 central strips

Whilst the cricket square is located centrally within the cricket ground, the distances from it to the boundaries varies due to the irregular shape of the site. The focus of the boundary assessment was based on the shortest distances from the edge of the cricket square to the boundary and hence the worst case scenario.

In respect of the northern boundary adjacent Sandygate Road, the report states that the minimum distance from the nearest edge of the cricket square to the boundary is 32 metres and from the 5 central wickets is 38 metres.

At these distances the report concludes that, for community level cricket, a 19 metre high net would not stop all shots but would significantly reduce the frequency of balls exceeding the boundary. In order to almost completely remove risk at community level, a 25 metre high net would be required which is unlikely to be practical or proportionate.

For professional level cricket the report concludes that nets of at least 24 metres in height would be needed to reduce risk to reasonable levels, but that 30 metre high nets would be required to almost completely remove risk.

Similarly, limiting play to the central 5 wickets for professional players would require nets of 25 metres high to stop all but the fastest shots and in order to almost completely remove risk, 32 metre high nets would be required. Again, the report states that in both of these instances, the height of the net is unlikely to be practical or proportionate.

The Club has used the findings of the Boundary Risk Assessment as the basis for forming a proportionate response to the risks involved. The current proposal is therefore based on the 1<sup>st</sup> and 2<sup>nd</sup> teams remaining at Crimicar Lane and on limiting adult community cricket to the central six wickets of the 13 available at Sandygate in order to maximise boundary size and contain the requirement for ball stop netting within reasonable bounds. Junior cricketers would be able to use the entire square. Netting is to be provided along both northern and southern boundaries at varying

heights based on the trajectory predictions in the Labosport report. With these restrictions the maximum height of the netting would be 15 metres.

The netting proposed is 50mm high density polypropylene attached by a pulley system to tubular steel posts, 323mm diameter, finished in green.

Sport England has advised that they have no objection to the application and they have also sought the views of the England Cricket Board (ECB), who consider the proposed ball stop mitigation to be fit for purpose and are fully supportive of the Hallam CC proposals in response to a ball strike incident. They consider the proposals to align with the findings of the Labosport UK ball strike risk assessment referenced LSUK.18-0768.

The Yorkshire Cricket Board's (YCB) Head of Region (South) stated:

"I have been working with Hallam CC for 12 years. During this time the Club has seen tremendous growth and is now one of the leading strategic development Clubs in Yorkshire.

The Club boasts 202 All Starts Cricketers (age 5-8), which is the national entry to Cricket level program, this being highest number of All Stars participants in England and Wales.

The Club also have 15 Junior sides; U9s to U17s, 5 Senior sides, 2 Mid-week teams, a Women's Softball side and host Visually Impaired and Physical and Learning Disability matches for the Yorkshire VI Kings and the Yorkshire Terriers.

The issue with ball strike has caused the club significant issues; the Club want to offer the safest community cricket programs they can, for their community. Hallam CC is an absolute pleasure to work with and is a beacon to all other Clubs.

The YCB values this relationship greatly and Hallam are a critical Club in driving the game forward and inspiring the next generation to choose cricket as their life long sport."

It is accepted that the Cricket Club have a duty of care for persons and property where the risk of ball strike is foreseeable and that a permanent solution is necessary in order for community cricket to continue to be played on this historic ground. The height of the netting is informed by the risk assessment and provides a practical solution to lowering the risk of ball strikes for neighbours and members of the public to a proportionate level. The elimination of risk would require significantly higher netting, which would be neither practicable or proportionate.

Discussions have taken place regarding whether retractable nets or a demountable net and post system can be used in order to limit the impact of the proposals on the character and appearance of the area.

The Club has contacted a manufacturer who has advised them that a fully demountable net and post system is not viable due to the height of the proposal, wind loading and the necessity for permanent durable supports. The Club accepts

that retractable nets are possible in principle.

An objector referred to a planning permission granted by Charnwood Borough Council for 15 metre high ball-stop netting. The officer report for that planning permissions states that whilst the netting would be removable (being taken down after each game), the posts would remain in situ all year round.

It is accepted that demountable posts are not viable in this instance. The Club has however agreed to remove the netting outside the cricket season, although the posts would remain in situ. A condition could be imposed to secure this.

In addition the Club has stated that, if strictly necessary, they would be willing for the netting to be raised and lowered between matches, but that this would be onerous given the frequency of matches during a normal summer, which comprise:

- Adult matches on Saturday and Sunday afternoons
- Midweek adult matches on Wednesday evenings
- Under 18 games on Tuesday evenings
- Under 15 games on Sunday mornings in the junior season
- University matches in the early part of the summer.

They also state that the process of raising and lowering the netting is labour intensive and that it will be very difficult for them to do this between every game.

Whilst this suggestion is welcomed and the cricket club would be encouraged to lower the netting during the longer periods without a game, it is considered that a condition to secure the lowering and subsequent raising of the netting would not be reasonable given the frequency of games during the cricket season and the physical effort required to do so.

A condition is however recommended to ensure that the netting is removed outside of the cricket season (the posts would remain in situ). The cricket season is usually accepted to run from March to October, however Hallam CC state that in practice they start matches in the third week of April and conclude by the second week of September. They are agreeable to a tighter timeframe in terms of the aforementioned condition.

Local residents have stated that re-orientating the wickets has not been considered. Although noted, re-orientating the wickets would not remove the ball-strike risk to the northern boundary. There is ball-strike risk for all boundaries at present, however the northern boundary is at most risk due to the short distances involved. The proposed scheme is a response to this issue and it is noted that the number of wickets to be made available for use by adults has been reduced to the central 6.

The proposed development is for ancillary facilities supporting the principle use of the site as a playing field and it would not harm the character of the Open Space Area as it would be reflective of the use of the site. Nor would the scheme adversely affect the quantity or quality of the playing field, indeed it would allow it's continued use by adult community cricketers and junior teams.

Whilst the proposal is considered acceptable in relation to open space policies, further assessment is required in terms of the potential impact of the netting upon the character and appearance of the local area and the setting of nearby heritage assets.

The proposal complies with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

#### Design, Appearance and Impact on heritage Assets

Paragraph 124 of the NPPF identifies that good design is a key aspect of sustainable development. Paragraph 127 sets out a series of expectations including ensuring that developments: add to the quality of the area; are visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character and the surrounding built environment; establish and maintain a strong sense of place; optimise the potential of a site; and create places that are safe, inclusive and accessible.

UDP policy BE5 and Core Strategy Policy CS74 seek to achieve good design. As the site is surrounded by an established housing area, UDP Policy H14 is also applicable in terms of design. The aims of these policies are consistent with the principles of paragraphs 124, 127 and 130 of the NPPF.

The netting along the northern boundary facing Sandygate Road will have the greatest visual impact. The netting along the southern boundary will have less impact, although at a maximum height of 15 metres it will be visible in glimpsed views from Carsick Hill Road, with some screening provided by the trees along the western boundary. The netting would also be visible between properties when viewed from Ivy Park Road and longer views along Sandygate Road.

The height of the ball-stop netting (maximum 15 metres) running for 84 metres along Sandygate Road will have a significant visual impact and be a highly prominent feature in the street scene and it is not argued that such a feature will make a positive contribution to the local area. It is however appreciated that the netting is reflective of the use of the site and the applicant has provided justifiable reasons why the netting is required, i.e. improved safety for neighbours and passing pedestrians and vehicles, in addition to reducing the general disturbance caused by cricket balls being hit over the site boundary. A number of local residents have stated that they have not experienced any issues with cricket balls, whereas others state that they have but are happy to live adjacent to the site knowing the risk of ball-strikes.

The netting running parallel to Sandygate Road would be most prominent in views when looking up Sandygate Grange Drive opposite, or when approaching the junction of Coldwell Lane with Sandygate Road. When moving in a westerly or easterly direction along Sandygate Road the netting would not be as prominent until immediately adjacent to the sports ground, as the net would sit parallel to the street. Recent amendments at the western end of this run of fencing see a short section of the highest netting angled in from the boundary, which has ensured the retention of the mature trees at the north-western corner of the site. This will help to minimise

the visual impact of the fence in a westerly direction. The applicant has also agreed to planting new trees which would not completely screen the netting, but would help to further reduce its visual impact when moving east and west along Sandygate Road. New tree planting can be secured by condition.

As previously discussed the Club has agreed to remove the netting outside of the cricket season, which will reduce the visual impact of the proposal at these times. However the posts would remain in situ and be visible throughout the year. Fronting Sandygate Road there would be 7 supports the highest of which would be 15 metres. Each post would have a width of 323mm and the posts would be painted green. Existing floodlights on the site are approximately 15.8 metres high and have a width of approximately 200mm. Whilst the proposed support posts would be wider, they would not appear dissimilar to the two floodlights. The support posts would be almost twice the height of nearby street lighting columns and would be wider. The applicant has explored the possibility of having posts that are demountable, however it is not considered viable for the reasons discussed.

An objector has referred to the fact that an application for a telecommunications mast located in the footway at the junction of Carsick Hill Road and Sandygate Road was refused prior approval in 2019 due to its harmful impact on the setting, character and appearance of the grade II listed building (The Lodge) and on the appearance of the locality and street scene, and that the proposed netting would have a greater impact than the mast.

An appeal was submitted following the refusal and was subsequently dismissed due to the harm caused to the heritage asset. The inspector considered that the setting of The Lodge is influenced by the openness of the playing fields which is considered to add to the prominence of the listed building in views along Sandygate Road. The mature tree lines to the west of the site and down Carsick Hill Road were also considered to frame views and contribute to the setting and character of the listed building. It was concluded that the 20 metre high mast would stand twice the height of the street lighting, would be taller than the floodlights within the Sports Ground and would extend above the tree line which it would be placed adjacent to. Consequently, when weighed against the benefits, it was concluded that the monopole would fail to preserve the setting of The Lodge and significantly harm the character and appearance of the area to a degree that it was not acceptable.

The reasons for dismissing the appeal are acknowledged and are a material consideration in relation to this planning application. The impact of the current proposal on heritage assets is discussed in more detail below. Whilst the appeal was dismissed due to the impact of the monopole on The Lodge, it was also concluded that alternative sites had not been adequately considered and that, ultimately, a telecommunications mast could be positioned in an alternative, less prominent and intrusive position.

The site does not fall within a conservation area but it does adjoin the Ranmoor Conservation Area which is located to the south of the site. A grade II listed building known as The Lodge is located to the north-west of the site on the corner of Sandygate Road and Coldwell Lane. The Towers, another grade II listed building, lies further west. These are the designated heritage assets most affected by the

proposed development.

UDP policy BE15 (Areas and Buildings of Special Architectural or Historic Interest) expects buildings and areas of special architectural or historic interest, which are an important part of Sheffield's heritage, to be preserved or enhanced and advises that development which is considered to harm the character or appearance of listed buildings or conservation areas will not be permitted.

Policy BE16 of the UDP (Development in Conservation Areas) states that permission will only be given to schemes which preserve or enhance the character or appearance of the Conservation Area while Policy BE19 (Development Affecting Listed Buildings) requires developments which affect the setting of a listed building to preserve the character and appearance of the building and its setting.

Chapter 16 of the NPPF (Conserving and enhancing the historic environment) sets out the Government's policies relating to the historic environment. Paragraph 190 states that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset),' taking this into account when considering the impact of a proposal on a heritage asset in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 of the NPPF advises that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification'. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities are advised to refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraphs 194-195).

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (paragraph 196).

UDP policies BE15, 16 and 19 are all considered to align with the NPPF as they seek to protect heritage assets, though they do not focus on significance in the same way as the NPPF.

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Similarly, section 72 of the Act describes the general duty with respect to conservation areas and states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.'

The fundamental issues with regard to heritage policy are that special regard must be given to the desirability or preserving heritages assets and their setting, that any harm to or loss of heritage assets requires clear and convincing justification and that substantial harm or total loss should not be allowed unless substantial public benefits outweigh that harm or loss.

Moreover, the requirement to 'avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal' mean that before harm is weighed against any public benefits of the proposal, steps must be taken to mitigate this harm to the greatest possible extent. Otherwise the harm cannot be considered to have a 'clear and convincing justification'.

The nearest part of the nets would be approximately 24 metres from the front elevation of the grade II listed Lodge. The aforementioned telecommunications mast, which was refused permission and subsequently dismissed at appeal, was located within the footway on the corner of Carsick Hill Road and Sandygate Road (to the immediate north-west of the Sports Ground). Ultimately it was considered that the monopole would have a significant impact upon the street scene and the setting of The Lodge and that the mast could be positioned in an alternative location.

The proposed netting is restricted to quite specific locations. They would be within the sports ground and enclosed by the stone boundary wall which would screen the lower section of the nets, and the now amended layout which retains the group of trees in the north-west corner of the site will provide a degree of screening and separation from The Lodge and mitigate the impact of the development.

It is acknowledged that the nets would rise above the stone wall on Sandygate Road, but they would be within the confines of the cricket ground and, in terms of the setting of The Lodge, the monopole would have been positioned in a more prominent position.

The proposed netting would not restrict or interfere with significant views of the listed building while the 20 metre high monopole would have been visible when viewed from Coldwell Lane.

It is considered that the proposed ball stop netting would not cause substantial harm the setting of The Lodge due to the separation distance, the screening created by retained mature trees and the fact that the netting would not restrict or interfere with views of this attractive listed building. The netting will however have a significant visual impact upon the appearance of the street generally, and while this impact will not necessarily detract from the listed building, it is considered that the netting would lead to less than substantial harm to the setting and thereby the significance of the listed building and that harm needs to be weighed against the public benefits of the proposal.

The netting proposed on the southern boundary line would abut the Ranmoor Conservation Area. This netting would not be significantly visible in public views from

within the Conservation Area, but it is likely to be seen in glimpsed views from Carsick Hill Road, with some screening provided by the trees along the western boundary, and between properties when viewed from Ivy Park Road. Nevertheless, in such close proximity to the Ranmoor Conservation Area, it is considered that the impact of the netting would lead to less than substantial harm to the setting and thereby the significance of the Conservation Area and that harm again needs to be weighed against the public benefits of the proposal.

Without the introduction of the proposed ball-stop netting, the Club states that adult cricket can no longer be played at Sandygate Road due to the risk of ball-strikes to pedestrians, vehicles and neighbouring properties. The Club has explained that, as the 1<sup>st</sup> and 2<sup>nd</sup> teams play at the Crimicar Lane ground, there is no capacity for the 3<sup>rd</sup> and 4<sup>th</sup> (community level) teams to play there and that, without the netting, these two teams would cease to run. It is noted that the netting will not prevent all balls from exceeding the boundaries of the cricket ground, but the scheme aims to reduce the risks to an extent that allows adult community cricket to continue to play there.

Hallam Cricket Club is an historic club and is a significant part of the Sheffield sporting community. This can be seen in the scale of support for the proposals. The Club has tried to minimise the visual impact by introducing nets at the minimum practical height and the scheme has been amended to retain the mature trees on the north-west corner of the site which contribute to the character of the area and help to screen part of the netting.

While the height of the nets is not directly in accordance with the recommendations of the Labosport report, the height has been proposed as a proportionate response to the risk and is based on advice from Labosport. Up to 15 metre high netting will certainly reduce the propensity and likelihood of balls being hit out of the site.

It is therefore considered that the public benefits of the proposal, which in this case is the ability for adult community cricket to continue to play at this historic ground, do outweigh the harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area.

It is considered that the impact of the netting on the grade II listed building known as The Towers, will not be harmful given the separation distance involved, presence of mature trees and rising ground to the west,

Some objectors refer to the historic nature of the Sports Ground, in particular the adjoining football ground being known as the oldest in the world, and it is understood that an application has been submitted to Historic England to assess whether the football ground is worthy of listed status. Historic England has confirmed that an application has been received and is at the validation stage. As the listing application is for the pitch only and therefore they are not treating the application as a priority and as the proposed cricket nets are not within the boundary of the area identified for listing, Historic England are not seeking to determine the application ahead of this planning application.

The Sports Ground is not a designated heritage asset. The NPPF defines non-



designated heritage assets as buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

In relation to the effect of an application on the significance of a non-designated heritage asset, the NPPF advises that 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset' (paragraph 197).

The site is not specified within a local plan, area appraisal or on a list of non-designated heritage assets. Consequently the football ground is not considered to be a non-designated heritage asset in relation to the NPPF definition. However, it is acknowledged to have historical significance as the home to Hallam Cricket Club since it was founded in 1804 and as the adjoining football pitch is thought to be the oldest football ground in the world. The proposed ball-stop fencing would allow adult community cricket to continue to play at this historic ground.

The proposal is not considered to fully comply with UDP Policies BE5, BE15, BE16 and BE19, nor Core Strategy Policy CS74, however it is considered that the proposal would be compliant with the NPPF as the public benefits of adult community cricket to continue to play at this historic ground, are considered to outweigh the harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area and well the character and appearance of the wider area.

#### Residential Amenity

Although the site is within an Open Space policy area, it is surrounded by an established housing area and therefore UDP Policy H14 (Conditions on Development in Housing Areas) is relevant.

Policy H14(c) states that in Housing Areas, development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

This closely aligns with the aims of the NPPF to deliver good design (paragraph 127) and therefore weight is given to the aims of H14.

The proposal will ultimately provide benefits for neighbouring occupiers in preventing the likelihood of cricket balls being hit into their grounds, although it will not completely remove this risk.

The proposal would be separated by the highway from those houses on the opposite side of Sandygate Road. Although clearly visible to the occupants of these properties, it is not considered that the netting or posts would be particularly overbearing or overshadow these neighbouring houses. The fact that the netting would be visible from neighbouring premises is not a reason to conclude that it would be harmful to living conditions as the proposals consist of a fine-gauge netting that

would allow light through. Although taller and wider than street lighting columns, the support posts would still be relatively slender and are therefore not significantly dissimilar to street lighting columns or similar street furniture.

Although the netting on the southern boundary would be positioned very close to neighbouring gardens, it is again considered that the nature of the netting will not cause significant harm to the living conditions of the neighbours. Outlook would be affected to some degree, however views would still be afforded through the netting, and while it is accepted that the height of the posts is substantial, they are well spaced and their slender profile mitigates any harmful impacts.

Residents have referred to potential noise concerns from the nets. The netting will be fine-gauge and fixed to the posts. There is no evidence to suggest that such netting will cause a noise nuisance.

For the reasons above, the proposal is not considered to cause undue harm to living conditions of the occupants of neighbouring properties and is considered to accord with UDP Policy H14 (c) and the aims of the NPPF.

#### Impact on Trees

Policy GE15 (Trees and Woodland) states that trees and woodland will be protected by requiring developers to retain mature trees and replace trees that are lost. This policy is broadly consistent with chapter 15 of the NPPF (Conserving and enhancing the natural environment).

The proposal includes the removal of three trees on the northern boundary adjacent to Sandygate Road. The removal of these trees is necessary to facilitate the installation of the ball-stop netting along this boundary. These are small trees which make a corresponding contribution to the character of the area. The club has proposed that three new trees be planted in the area between the scoreboard and the groundsman's storage containers and in the area of the existing pavilion. The club has also agreed to plant trees on the eastern side of the netting, such that a total of five new trees will be planted, which can be secured by condition.

The proposed netting along the northern boundary has been amended slightly to ensure the retention of a group of four trees within the north western corner of the site (3 Sycamore trees and a Cherry tree). The netting nearest to the north-western corner has been pulled in from the boundary and away from the canopy of these trees. The amended plan shows that the netting would still be close to these trees and therefore a degree of pruning to the canopy may be necessary, however a condition is recommended to secure a full Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) (to BS5837:2012) in which the Local Planning Authority would expect to see details of any necessary pruning as well as an assessment of the impact of the ball-stop netting construction (i.e the support posts) upon the retained trees.

An objector referred to a tree within the north-western corner of the site as a 'veteran tree'. Veteran trees are defined by the NPPF (due to their age, size and condition) to

be of exceptional biodiversity, cultural or heritage value and planning permission is normally refused where development results in the loss of a veteran tree unless there are wholly exceptional reasons not to or where there is suitable compensation offered. A Tree Officer from the Council has visited the site and confirms that the trees in the north-western corner are not considered to be veteran trees. They consider them to be in middle age and state that they have not yet reached their full height. Furthermore, there is no evidence of rot holes, dead wood or fungal brackets which is normally associated with veteran trees.

The retention of the group of trees in the north-western corner of the site is welcomed as they contribute to the visual amenities of the locality and will help to screen the netting when viewing the site from the western end of Sandygate Road and on approach from Coldwell Lane. The visual impact of the netting would certainly be greater if these trees were removed.

The pruning of three trees within neighbouring gardens on Ivy Park Road is also likely as their branches overhang the boundary line and would conflict with the netting proposed on the southern side of the site. Two of the three neighbouring trees (an Elm at 110 Ivy Park Road and a Hornbeam at 106 Ivy Park Road) have recently had a Tree Preservation Order (TPO) placed upon them, along with all other remaining trees along the western boundary (from north to south), apart from two Ash trees, in order to safeguard them for the future. The third tree, also located in No.106 Ivy Park Road, is protected by its designation within the Ranmoor Conservation Area.

Pruning necessary to allow the construction of a development (access facilitation pruning) is allowed to TPO trees when identified in a planning application. Pruning works will also be identified in the AIA and AMS and be in accordance with BS3998:2010 as previously described.

In relation to the neighbouring trees adjacent to the southern boundary, Landscape and Tree Officers have indicated that a degree of pruning works would be acceptable in principle, though such works would require approval under separate processes as they are outside the application site and because they are protected. Subject to the necessary approvals, Hallam Cricket Club would have the legal right to trim branches up to the property boundary, although the applicant would be advised to contact the relevant owners prior to undertaking any necessary works.

Whilst three small trees would be lost, five heavy standard replacements can be secured via condition, and as discussed, the location of the netting has been amended to protect the most important trees on site. Preservation orders have been placed on the remaining healthy trees to ensure their protection. Subject to the condition securing an Arboricultural Impact Assessment and Arboricultural Method Statement, the proposed scheme is considered to be acceptable in terms of its impact on trees within and adjacent to the site.

In this context the proposals are considered acceptable in respect of policy GE15 and paragraph 127 of the NPPF.

Ecology

Paragraph 170 a) and d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity.

Paragraph 175 a) of the NPPF identifies that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

UDP Policy GE11 (Nature Conservation and Development) seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development and is in part conformity with the NPPF.

Concerns have been raised by objectors that birds and bats could become entangled in the proposed ball stop netting. Advice from the Council's Ecology Unit states that such occurrences are very rare. The netting is to consist of a 50mm high density polypropylene mesh. This finer mesh netting will reduce the chance of birds of all sizes from becoming entangled and conditions will be attached to secure an appropriate specification to further minimise risks. The netting is also only to be in place during the cricket season and would thereafter be removed for much of the year, further reducing the potential for birds to become entangled.

With respect to bats, the Ecology Unit state that the netting should not pose a problem to them as their echo-location would sense an obstacle in their path and they would avoid it.

Bats are protected by law and as such there is legislation in place for their protection outside the remit of the planning process. The Ecology Unit have confirmed that the trees on site are not veteran trees (those that often have high potential for bats), but would appear to be young mature trees with extensive ivy growth. There is no evidence of rot holes or fissures that could be used by roosting bats. The three trees located on the northern boundary which are to be felled have low potential for roosting bats. A condition is however recommended to secure a method statement prior to any felling works that provides guidance for the careful felling of these trees by an experienced arborist.

As mentioned previously, a minimum of five trees are to be planted as mitigation for the loss of the three trees on the northern boundary. The Ecology Unit recommend native species and the use of 'extra heavy standards' - trees that are already grown to a good size before they are ready for planting.

In terms of biodiversity enhancements, there will be a loss in terms of the trees which are to be felled, however the scheme is to include new tree planting which will provide some mitigation by providing additional nesting opportunities for birds. There

is little opportunity for further biodiversity enhancements to be secured in this instance.

The proposal is therefore considered compliant with UDP Policy GE11 and the aims of the NPPF.

### Highways

Paragraph 109 of the NPPF further states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The ball stop netting is unlikely to affect visibility on the highway as it is to run parallel with Sandygate Road, behind the existing stone boundary wall. However it will have a safety benefit in terms of preventing balls being hit onto the highway.

It is therefore considered that this complies with the aims of the NPPF.

### Coal Mining

Part of the site is located within a Coal Mining Referral Area. A Coal Mining Risk Assessment has been submitted in support of the application. The report concludes that intrusive investigations are required before development is commenced. This can be secured by condition.

## SUMMARY AND RECOMMENDATION

The application site relates to Hallam Cricket Club which was founded in 1804 and is the oldest cricket ground in Sheffield and one of the oldest in Yorkshire. The UDP Proposals Map identifies the site as being within an Open Space Area.

The Cricket Club states that balls have been hit out of the ground on an increasingly regular basis and the Club has become concerned about the safety of playing both professional level and community level cricket at a ground with such short boundaries. The Club has moved their 1<sup>st</sup> and 2<sup>nd</sup> teams to their Crimicar Lane ground to limit the occurrence of balls being hit out of the ground, however they wish to retain their remaining adult community and junior teams at Sandygate Road.

Planning permission is sought for the erection of ball-stop netting to the northern and southern boundaries of the cricket ground to a maximum height of 15 metres.

15 metres is less than the recommended height for community level cricket recommended in the Labosport Report, however the Club intends to limit cricket to the central 6 wickets, thereby allowing them to reduce the height of the netting. The 15 metre high netting is considered to be a proportionate response to the risk, with consideration also given to the impact of the netting on the character and appearance of the local area. Higher netting would exacerbate the visual impact.

In this instance the proposed development is for ancillary facilities supporting the

principle use of the site as a playing field and is not considered to harm the character of the Open Space Area, nor would the proposal adversely affect the quantity or quality of the playing field.

There are no objections from Sport England, and the English and Wales Cricket Board are supportive of the scheme.

It is acknowledged that ball-stop netting at a height of 15 metres is not going to provide any visual benefits, however consideration has been given to the need for the netting and the benefits of continued adult cricket at this historic ground. The Club has explored the possibility of having retractable nets or a fully demountable net and post system. The latter is not viable but the Club have agreed to remove the netting outside the cricket season, although the posts would remain in situ.

The Club has also amended the location of the netting to ensure the retention of trees in the north-western corner of the site and has agreed to introduce new tree planting at the eastern end of the netting fronting Sandygate Road.

Without the proposed netting it is understood that adult cricket will cease to occur at Sandygate Road due to the ball-strike risk and the Club has confirmed that there is no capacity for the community teams at their Crimicar Lane site. The Cricket Club has a long history and is a significant part of the Sheffield sporting community.

The public benefits of adult community cricket to continue to play at this historic ground, are considered to outweigh the less than substantial harm that the netting would have upon the setting and thereby the significance of the grade II listed building known as The Lodge and the Ranmoor Conservation Area and well the character and appearance of the wider area.

The introduction of the netting is considered to have minimal impact on the living conditions of the residents of neighbouring properties.

There are no harmful highway implications as a result of this proposal, although there is the benefit of increased safety due to reduction in ball-strike risk.

The proposal is considered to comply with UDP Policies LR4 and LR5, Core Strategy Policy CS47, and the Government's planning policy guidance contained in the NPPF.

It is therefore recommended that planning permission is granted subject to conditions securing the removal of the netting outside of the cricket season (posts would remain), ensuring the submission of both an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement and a condition to secure the planting of new trees.